

## INDIANAPOLIS DIVISION

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## DEFENDANTS' STATEMENT OF DEFENSES

Defendants, by their counsel, Barnes & Thornburg LLP, set forth their Statement of

1. Indiana University and Defendants have upheld their commitment to the First Amendment

2. Indiana University's Expressive Activity Policy (eff. August 1, 2024) and the amended

tailored policy regulating the time, place, and manner of certain events on campus. These events are not limited on the basis of their content or viewpoint. The limitation on certain events is reasonable as Indiana University has a substantial governmental interest in protecting the safety of students, faculty, and staff while preserving IU's core educational mission.

3. Plaintiffs lack standing to bring claims related to the Amended Policy because they fail to show a particularized, concrete, and actual or imminent injury-in-fact as required under Article III.

4. Plaintiffs' claims are not ripe as they have not suffered any injury from Indiana University's Amended Policy, or the Amended Policy's Pre-Approval Requirements or Standards.

5. Defendants incorporate by reference their responses in their Answers to Plaintiffs' Second Amended Complaint and in their opposition to Plaintiffs' Motion for Preliminary Injunction.

Respectfully submitted,

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